

## ✓ Forms and Questions:

The Rehabilitation Review Application form EXS-263 is available on the Internet at [www.dhfs.state.wi.us/caregiver/BkgdFormsINDEX.HTM](http://www.dhfs.state.wi.us/caregiver/BkgdFormsINDEX.HTM). Anyone with questions about the rehabilitation review process, who would like more information or needs assistance in completing the application should contact the regulatory agency as noted below.

### *DHFS Regulated Entities*

Persons seeking rehabilitation review approval for employment, nonclient residency, contracted services or regulatory approval for or in a DHFS regulated entity may contact the:

**Department of Health and Family Services  
Office of Legal Counsel  
One West Wilson Street, Room 651  
P.O. Box 7850  
Madison, WI 53707-7850  
(608) 266-8428**

### *Tribal-operated DHFS Regulated Entities*

Persons seeking rehabilitation review approval for employment, nonclient residency or contracted services in tribal-operated, DHFS regulated entities may contact the appropriate DHFS designated tribal authority.

### *Foster Care/Adoptive Parents/Certified Child Care*

Persons seeking rehabilitation review approval to become licensed as a foster home, persons who are adoptive parents or persons seeking to provide certified daycare may contact the county department of social or human service agency or a licensed private child placing agency

### *Daycare providers contracted through School Boards*

Persons seeking rehabilitation review approval to establish or be employed by a day care program that provides day care services under contract with a school board may contact the local school board.

## **CONTACT INFORMATION**

Questions about the Rehabilitation Review process?

**Office of Legal Counsel**  
**Phone: (608) 266-8428**  
**E-mail: RehabRC@dhfs.state.wi.us**

Questions about background checks on employees and contractors or about offenses that affect caregiver eligibility?

**Caregiver Regulation and Investigation Section  
Bureau of Quality Assurance  
2917 International Lane, Suite 300  
Madison, WI 53704  
Phone: (608) 243-2019  
FAX: (608) 243-2020  
E-mail: caregiver\_intake@dhfs.state.wi.us**

Questions about background checks on owners and nonclient residents?

**Entity Background Checks  
Bureau of Quality Assurance  
2917 International Lane, Suite 300  
Madison, WI 53704  
(608) 243-2019  
E-mail: caregiver\_intake@dhfs.state.wi.us**

Questions about background checks on child care providers?

**Bureau of Regulation & Licensing  
(608) 266-9314**

Questions about background checks on foster care providers?

**Bureau of Programs and Policies  
(608) 267-7287**

Questions about a noncredentialed caregiver's substantiated finding of misconduct?

**Wisconsin Nurse Aide Registry  
[www.promissor.com](http://www.promissor.com), click on "Other Services," click on "Registry Services" then scroll to "Wisconsin Nurse Aides" Interactive Voice Response (IVR)  
(877) 224-0235 toll free**

Other questions?

**See our web site: [www.dhfs.state.wi.us](http://www.dhfs.state.wi.us), click on "Licensing," click on "Licensing-Health/Medical Care," and then on "Caregiver Program (including background checks)"**



*Making a difference.*

# **REHABILITATION REVIEW PROCESS of WISCONSIN'S CAREGIVER PROGRAM**

**STATE OF WISCONSIN  
Department of Health and Family Services  
Division of Supportive Living  
Bureau of Quality Assurance**

**February 2003**

PSL-3160

## WISCONSIN CAREGIVER PROGRAM

This is an overview of the Rehabilitation Review process for Wisconsin's Caregiver Program. For complete information, please see [www.dhfs.state.wi.us/caregiver](http://www.dhfs.state.wi.us/caregiver) or contact the phone numbers on the back of this brochure.

## REHABILITATION REVIEW

The Wisconsin Caregiver Program responds to the concern in Wisconsin and around the nation about the potential for physical, emotional and financial abuse of vulnerable citizens by persons who have been convicted of serious crimes or have a history of improper behavior.

The Wisconsin Caregiver Misconduct Registry is a record of the names of nurse aides and other noncredentialed caregivers with a substantiated finding of caregiver misconduct. A nurse aide with a finding on the Caregiver Misconduct Registry may not be employed, in any capacity, in federally certified nursing homes or ICFs/MR. In addition, a caregiver with a finding on the Caregiver Misconduct Registry may not be employed as a caregiver in any DHFS state-regulated facilities unless approved through the Rehabilitation Review process.

All caregivers who have been convicted of a bar with rehabilitation crime or who have a finding of abuse, neglect or misappropriation (including child abuse or neglect) may request a Rehabilitation Review with the Department. The review is an opportunity for a caregiver to provide clear evidence that a repeat of the conduct that led to his/her conviction or finding is not likely and clients will remain safe under his/her care.

### ✓ Bar with Rehabilitation Offenses:

Only those crimes and offenses on the Offenses List and comparable crimes and offenses from out of state or other jurisdictions are bars to employment, regulatory approval or nonclient residency. Only persons with convictions or offenses on the Offenses List are subject to the Rehabilitation Review process. An employer may determine if any conviction not on the

Offenses List is substantially related to the duties of the job, and may refuse to hire a candidate for that reason.

Find the list of serious crimes and other findings at [www.dhfs.state.wi.us/caregiver/statutesINDEX.HTM](http://www.dhfs.state.wi.us/caregiver/statutesINDEX.HTM).

### ✓ Application Procedures:

A caregiver or a nonclient resident may apply for a Rehabilitation Review to seek approval to work as a caregiver or to reside as a nonclient resident in an entity regulated by DHFS. Caregivers who are denied approval may not reapply for one calendar year after the date of denial.

The applicant must complete and sign a [Rehabilitation Review Application form \(EXS-263\)](#) with attachments, and submit them to:

**Office of Legal Counsel**  
**One West Wilson Street, Room 651**  
**P.O. Box 7850**  
**Madison, WI 53707-7850**

Incomplete applications will be returned denied, unless good cause exists for failure to submit a complete application.

Upon receipt of a complete application, DHFS will notify the applicant by mail when and where the Rehabilitation Review Panel will meet. The applicant may be asked to provide additional information.

### ✓ Panel Review Meeting:

Although the applicant is not required to appear at the Rehabilitation Review Panel meeting, the applicant's appearance is recommended. Panel members may ask questions to facilitate decision making, and the applicant will have an opportunity to answer their questions. At a minimum, the Rehabilitation Review Panel will consider the following:

- Favorable personal reference checks and comments from employers, other persons and agencies familiar with the applicant and statements of therapists, counselors and other professionals.
- Evidence of successful adjustment to, compliance with, or proof of successful completion of parole, probation, incarceration, or work release privileges.

- Proof that the applicant has not had recent contact with police resulting in arrest.
- Pending or existing arrest warrants or civil judgments.
- Aggravating and mitigating circumstances surrounding the crime, act, or offense.
- Evidence of rehabilitation such as public or volunteer service, recognition for accomplishments and employment history.
- The amount of time between the offense and the request for review.
- Whether the applicant is listed as a sexual offender.
- A victim's impact statement, if appropriate.

### ✓ Review Panel Decision:

After the meeting, the Rehabilitation Review Panel will decide whether sufficient evidence of rehabilitation exists. Each application is handled on a case-by-case basis. The Panel will issue one of the following written decisions:

- *Approval:* If the Panel finds sufficient evidence of rehabilitation, the panel will approve the rehabilitation review application and may specify conditions or limitations that apply to the approval.
- *Denial:* If the Panel does not find sufficient evidence of rehabilitation, the decision will provide the reasons for denial and inform the applicant of his/her right to file an appeal within 10 days of the decision.
- *Deferred:* The Panel may defer a final decision for up to six months to gather additional information or for other reasons.

A Rehabilitation Review approval does not ensure that the applicant will be hired by an entity or receive permission to reside at an entity.